

AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of New MexicoUnited States of America
v.

Ricardo ARRIOLA

Case No: 24-1553 MJ

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of October 24, 2024 in the county of Dona Ana in the State and District of New Mexico, the defendant violated 8 U.S.C. § 1324(a)(1)(A)(v)(I)(Conspiracy to Violate 1324 - All subsections), an offense described as follows:

engaged in a conspiracy to commit a violation of 8 USC 1324(a)(1)(a)(v)(I) Conspiracy, to wit: 8 USC 1324(a)(1)(a)(ii) Transporting, knowing or in reckless disregard of the fact that, ALIENS, had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such aliens within the United States by means of transportation or otherwise, in furtherance of such violation of law.

This criminal complaint is based on these facts:

On October 24, 2024, at approximately 8:30 A.M. New Mexico State Patrol (NMSP) officers encountered a subject driving a 2007 Jeep Wrangler, registered to ARRIOLA, Ricardo transporting an individual later identified as an Undocumented Non-Citizens (UNC). Officers encountered both subjects at the intersection of Alto Vista Dr. and Encino Dr., ARRIOLA waved down the NMSP Officer and began asking questions over a civil matter. As the NMSP Officer was conversing with ARRIOLA, another NMSP Officer arrived on scene and approached the passenger side of the Jeep. The NMSP Officer asked the passenger where he was from, the UNC answered, Guatemala. Officers asked ARRIOLA how he knew the passenger and ARRIOLA said that the UNC was a friend who had once assisted him from getting his vehicle unstuck.

☒ Continued on the attached sheet.



Complainant's signature

David D. Kraft, Agent

Printed name and title

Sworn to before me and signed in my presence.

- by telephone. JHR

Date: October 26, 2024

City and state: Las Cruces, N.M.



Judge's signature

Jerry H. Ritter, U.S. Magistrate Judge

Printed name and title

CONTINUATION OF CRIMINAL COMPLAINT

STATE AND DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

V.

Ricardo ARRIOLA

Continuation of Statement of Facts:

ARRIOLA noticed the UNC walking down the street, so he offered him a ride.

Approximately 30 minutes prior to the encounter the NMSP officers had assisted border patrol agents with a subject who ran from agents down Loma Vista Street trying to evade capture. NMSP officers suspected that the passenger of the vehicle was possibly the subject who had run from agents earlier because Loma Vista Street is only a few blocks from the intersection of Alto Vista Dr. and Encino Dr.

NMSP officers then requested assistance from Santa Teresa Border Patrol Agents for an immigration inspection of the passenger. A Border Patrol Agent (BPA) responded and arrived on scene at approximately 0845.

The BPA arrived and questioned the UNC to establish his immigration status, after he confessed to being in the United States illegally, he tried telling the Agent that he had been in the country for approximately 7 months, however, the property in his possession was wrapped in several clear cellophane bags. The way the UNC had his wallet and paperwork inside plastic bags, is typically how illegal aliens that are encountered trying to enter the country illegally carry their property trying to avoid important property or paperwork from getting damaged or wet.

The BPA determined that a failed smuggling scheme had occurred. Both subjects were transported to the Santa Teresa Border Patrol Station for further processing.

SMUGGLING SCHEME:

DRIVER-PRINCIPAL (ARRIOLA, Ricardo):

Post Miranda Statement: ARRIOLA, Ricardo claimed that he encountered the undocumented non-citizens along Alto Vista Dr. in Sunland Park, New Mexico. He stated that the UNC was sitting on the side of the road and requested a ride. Arriola claimed he had no knowledge the UNC was in the United States illegally, he claimed that he was not being paid by the UNC or anyone else for giving the UNC a ride.

PASSENGER- UNC

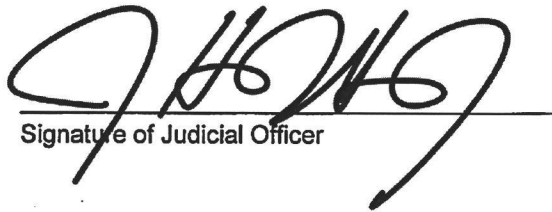
Post Miranda Statement: UNC claimed that once he made illegal entry into the United States, that the smuggler in Mexico was talking to him on the phone and told him he would be picked up by a jeep. He then claims that is when the driver of the Jeep ARRIOLA, Ricardo stopped to pick him up in a white Jeep. Once the UNC was in the vehicle, he claims that ARRIOLA asked him for more money, and when the UNC refused ARRIOLA threatened to have people harm his family that reside in Guatemala.

CONCLUSION


Based on the aforementioned facts, your Affiant believes that there is probable cause to believe that ARRIOLA, Ricardo, along with other unknown individuals did violate Title 8 United States Code, Sections 1324 (a)(A)(v)(I).

New Mexico Assistant United States Attorney (AUSA) Sarah Davenport was presented the case for prosecution. The case was accepted based on the aforementioned facts, ARRIOLA, Ricardo will be charged under 8 USC 1324 (Conspiracy and Transport).

Continuation of Statutory Language:



Signature of Judicial Officer



Signature of Complainant

Kraft, David D.

Filing Agent